

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

**NOTICE OF DOCUMENT DISCREPANCIES**

**FILED**

2008 JAN -7 PM 4:39

TO: ☒ U. S. DISTRICT JUDGE / ☐ U. S. MAGISTRATE JUDGE Whelan  
 FROM: R. Mullin, Deputy Clerk RECEIVED DATE: 12/27/2007 BY: RM  
 CASE NO.: 07cv2131 W (BLM) DOCUMENT FILED BY: Plaintiff  
 CASE TITLE: Arceo v. Ayers, et al  
 DOCUMENT ENTITLED: Motion for Ex Parte Application for Waiver of Court Fees

Upon the submission of the attached document(s), the following discrepancies are noted:

<input checked="" type="checkbox"/> Local Rule	Discrepancy
<input type="checkbox"/> 5.1	Missing time and date on motion and/or supporting documentation
<input type="checkbox"/> 5.3	Document illegible or submitted on thermal facsimile paper
<input type="checkbox"/> 5.4	<b>Document not filed electronically. Notice of Noncompliance already issued.</b>
<input type="checkbox"/> 7.1 or 47.1	Date noticed for hearing not in compliance with rules/Document(s) are not timely
<input type="checkbox"/> 7.1 or 47.1	Lacking memorandum of points and authorities in support as a separate document
<input type="checkbox"/> 7.1 or 47.1	Briefs or memoranda exceed length restrictions
<input type="checkbox"/> 7.1	Missing table of contents
<input type="checkbox"/> 15.1	Amended pleading not complete in itself
<input type="checkbox"/> 30.1	Depositions not accepted absent a court order
<input type="checkbox"/>	Supplemental documents require court order
<input type="checkbox"/>	Default Judgment in sum certain includes calculated interest
<b>X</b>	<b><u>OTHER: Motion to Proceed In Forma Pauperis already granted (Docket #6).</u></b>

*No need to file any <sup>more</sup> motions to proceed in forma pauperis since already granted.* Date forwarded: 1/2/2008

**ORDER OF THE JUDGE / MAGISTRATE JUDGE**

**IT IS HEREBY ORDERED:**

- ☐ The document is to be filed nunc pro tunc to date received.
- ☒ The document is NOT to be filed, but instead REJECTED, and it is ORDERED that the Clerk serve a copy of this order on all parties.
- Rejected document to be returned to pro se or inmate? ☒ Yes. Court Copy retained by chambers ☐

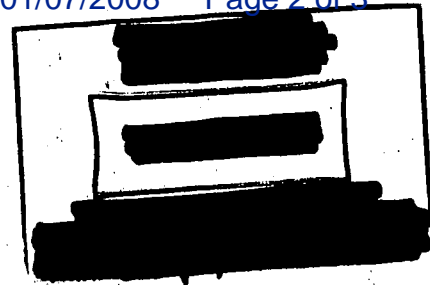
Counsel is advised that any further failure to comply with the Local Rules may lead to penalties pursuant to Local Rule 83.1

CHAMBERS OF: THOMAS J. WHELAN

Dated: 1/7/08  
cc: All Parties

By: Law Clerk

ANTHONY ARCEO J-17830  
PRO SE LITIGANT



**REJECTED**

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

ANTHONY ARCEO,  
PETITIONER,

VS

ROBERT AYERS, WARDEN et al,  
RESPONDENT,

CASE NO

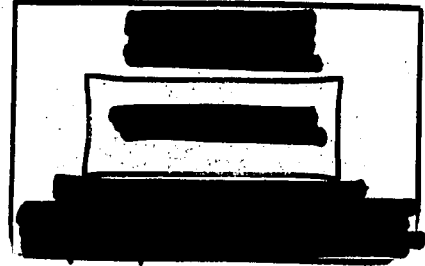
07CV 2131 W(BLM)

DECLARATION & MEMORANDUM OF  
POINTS AND AUTHORITIES IN  
SUPPORT OF NOTICE AND MOTION  
FOR EX PARTE APPLICATION FOR  
WAIVER OF COURT FEES AND COST  
RULE 3(a), 28 USC § 2254

I Anthony Arceo, petitioner in the above entitled action declares;

1. That this court issued its order stating if petitioner wishes to proceed with this case, he must submit, no later than December 31, 2007 a copy of this order with a \$5 fee or adequate proof of his inability to pay the fee.
2. That petitioner attaches a copy of this courts order as exhibit A.

ANTHONY ARCEO J-17830  
RJ DONOVAN CORR FACILITY  
PO BOX 799003 F3B15-134  
SAN DIEG, CA. 92179



IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT

**REJECTED**

ANTHONY ARCEO,  
PETITIONER,

VS.

ROBERT AYERS, WARDEN, et al,  
RESPONDENT,

CASE NO. 07CV231 W (BLM)

NOTICE OF MOTION FOR EX PARTE  
APPLICATION FOR WAIVER OF  
COURT FEES AND COST. RUL 3(a)  
28 USC § 2254

TO THE HONORABLE JUSTICE THOMAS J. WHELAN; AND THE COURTS CLERKS FOR  
APPLICATION FOR WAIVER OF COURT FEES AND COST.

Please take notice that on \_\_\_\_\_ or as soon after that  
as the matter can be heard, in \_\_\_\_\_ Division of the above  
entitled court, located at \_\_\_\_\_ Anthony Arceo, petitioner  
will move this court for an order pursuant to Rule 3(a), 28 USC §2254  
waiver of court fees and cost.

This motion will be based on the ex parte application, declaration  
and memorandum of points and authorities, and all papers, pleadings, and  
records filed in this action.

Dated

*December 25, 2007*

*Anthony Arceo*  
Anthony Arceo J-17830